

ALFRED **Nickles** BAKERY, Inc.

26 N. MAIN ST., NAVARRE, OHIO 44662 • TEL: (330) 879-5635 • FAX (330) 879-5896
www.nicklesbakery.com



RECEIVED JAN 10 2012 *af*

December 18, 2012

United States Environmental Protection Agency

Region Five

Superfund Division, Enforcement and Compliance Assurance Branch

Attention: Marsha A. Adams, Enforcement Specialist

77 West Jackson Boulevard, (SE-5J)

Chicago, IL 60604-3590

Request for Information Pursuant to Section 104(e) of CERCLA

West Troy Contaminated Aquifer Site, Troy, Ohio

CERCLIS ID No: OHN000508132

1. Nickles Bakery leased the following property from AHB Properties, P.O. Box 529, St. Joseph, MI 49085-0529 (phone: 616 983 2576):

542 North Elm
Troy, Ohio 45373

- According to Nickles Bakery records, the lease agreement began in January 1982 and continued through mid-January 2011.
 - Please find the attached documents outlining lease payments and the facility closure.
2. To our knowledge, the Nickles Bakery operation did not use, purchase, store, treat, dispose, transport or handle materials that contained chlorinated solvents.
 - According to our research the stated chlorinated solvents (PCE, TCE, DCE and TCA) have been used as brake cleaner substances.
 - We contacted Safety-Kleen and we were informed that the chlorinated solvents would not be applicable to Nickles Bakery (or the general parts cleaning industry) due to combustibility, environmental impact and potential health hazard.

As for the truck maintenance parts, the Nickles Bakery Troy, OH facility utilized Crystal Clean as the wash supplier. In addition, Crystal Clean hauled waste engine oil and antifreeze.

The cleaning solvent used for truck parts washing was a mineral based spirit: Premium 142 (petroleum distillate). Please find the included MSDS.

3. During the Nickles Bakery lease, the property did not participate the establishment of waste piles, landfills, surface impoundments, waste lagoons, waste ponds/pits, tanks or container storage areas.
 - The facility included a 4-yard trash container used for general facility waste, including paper, glass and/or plastic, aluminum cans and out of code baked goods.
 - Troy Waste Hauling provided the 4-yard trash container. The container was picked up once per week. Troy Waste Hauling provided the general trash service from March 2003 until January 2011. Nickles Bakery does not have trash hauling records prior to March 2003.
4. The facility did not handle chlorinated solvents; thus, Nickles Bakery does not have record(s) of leaks, spills or releases of the identified materials.
5. Nickles Bakery did not acquire environmental permits (local, state or federal) during the lease duration.
6. The questions have been presented to the following Nickles Bakery current or past employees:
 - Wes Webber, Vice President, Purchasing
 - Jr. Henry, Fleet Manager
 - Donn McCoy, former Troy distribution facility manager
7. Nickles Bakery does not have knowledge that a previous or current property owner or operator was or is responsible for leaks, spills or releases of chlorinated solvents or materials.

Thank you -



Christian Gardner
Senior Vice President, Administration
Alfred Nickles Bakery, Inc.

QUESTION ONE - Operation and Lease Information

Rosie Gardiner

From: "Phil Gardner" <PGardner@nicklesbakery.com>
To: "Rosie Gardiner" <RGardiner@nicklesbakery.com>
Cc: "Denise Deal" <DDDeal@nicklesbakery.com>; "Mark Sponseller" <MSponseller@nicklesbakery.com>
Sent: Friday, December 10, 2010 8:27 AM
Subject: Troy lease
Rosie:

We are closing the Troy Branch effective January 14, 2011.

You should send our last lease payment (January, 2011) to our Troy landlord at 1/2 of our current monthly rate.

Phil

12/10/2010

December 9, 2010

TO: All Branch Managers & Regional Managers

RE: TROY BRANCH CLOSING - UPDATE

We have **postponed** the **Troy branch** closing until
Saturday, January 8, 2011.

All Troy routes will continue to operate out of the Troy branch through Saturday, January 8. On Monday, January 10, the routes will go to their designated branch.

Ernie Brideweser

deb

cc: D. A. Gardner
P. Gardner
M. Sponseller
J. F. Kettlewell
C. Gardner
W. Webber
C. Taylor
All Personnel

ALFRED **Nickles** BAKERY, Inc.

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December 7, 2010

INFORMATION BULLETIN

(For Posting – Company Wide)

TROY SALES BRANCH CLOSING NOTICE

Please be advised that the sales branch of Nickles Bakery, located at 542 N. Elm, Troy, OH 45373, will be permanently closing. Routes will be merged into the Dayton and Lima branches.

The date of closing will be Friday, December 31, 2010.

Respectfully,

ALFRED NICKLES BAKERY, INC.

R. Wesley Webber
Vice President Human Resources

RWW/lg

cc: Officers

NANCY

June 20, 2001

Bill Thorne
Kim Hergenrather

We have agreed with the Troy landlord to renew the Troy lease on a month-to-month basis beginning July 1, 2001.

We should keep trying to find another location for the Troy branch.

Phil Gardner

Cc: D. A. Gardner
~~Mark Spenseller~~
Ernie Brideweser

Properties

529

eph, MI 49085-0529

616-983-2576

616-983-7037

June 25, 1996

Mr. Philip Gardner
Nickles Bakery, Inc.
26 North Main Street
Navarre, OH 44662

Re: Lease Extension -- Troy, Ohio

Dear Phil:

This confirms our agreement via telephone today whereby our lease is extended for a five year period (July 1, 1996 through June 30, 2001).

The mutually agreed upon monthly lease payments will be as follows:

July 1, 1996 through June 30, 1997

\$ [REDACTED]

July 1, 1997 through June 30, 1998

\$ [REDACTED]

July 1, 1998 through June 30, 1999

\$ [REDACTED]

99 Gmo at 2100
Gmo at 2250

July 1, 1999 through June 30, 2000

\$ [REDACTED]

July 1, 2000 through June 30, 2001

\$ [REDACTED]

All other terms and conditions of our present lease dated September 18, 1991 signed by Richard A. Buckalew, Michael E. Buckalew, Jeffrey A. Buckalew as partners in AHB Properties, a Michigan Partnership and David E. Gardner, President of Nickles Bakery will remain operative for this extension of the lease of the property located at 542 North Elm Street, Troy, Ohio 45373.

This document should be signed and attached to the original lease agreement.

Witnesses:

Dora M. Watkins

By:

Richard A. Buckalew

Richard A. Buckalew, Managing Partner -- AHB Properties

Philip Gardner

By:

David E. Gardner

Alfred Nickles Bakery, Inc.

L I M A

ACCOUNT 02-131-00 PREPAID RENT & DEPOSITS

[illegible]

☐ VOID ☐ CORRECTED

PAYER'S name, street address, city, state, ZIP code, and telephone no. [REDACTED] [REDACTED] NAVARRE OH 44662		1 Rents \$ [REDACTED]	OMB No. 1545-0115 2011		Miscellaneous Income
		2 Royalties \$	Form 1099-MISC		
		3 Other income \$	4 Federal income tax withheld \$		Copy C For Payer or State Copy
PAYER'S federal identification number [REDACTED]	RECIPIENT'S identification number [REDACTED]	5 Fishing boat proceeds \$	6 Medical and health care payments \$		
RECIPIENT'S name, street address (including apt. no.), city, state, and ZIP code [REDACTED] [REDACTED] [REDACTED] [REDACTED]		7 Nonemployee compensation \$	8 Substitute payments in lieu of dividends or interest \$		For Privacy Act and Paperwork Reduction Act Notice, see the 2011 General Instructions for Certain Information Returns.
		9 Payer made direct sales of \$5,000 or more of consumer products to a buyer (recipient) for resale <input type="checkbox"/>	10 Crop insurance proceeds \$		
		11 [REDACTED]	12 [REDACTED]		
		13 Excess golden parachute payments \$	14 Gross proceeds paid to an attorney \$		
Account number (see instructions)		2nd TIN not <input type="checkbox"/>			
15a Section 409A deferrals \$	15b Section 409A income \$	16 State tax withheld \$	17 State/Payer's state no.	18 State income \$	

Form **1099-MISC**

Department of the Treasury - Internal Revenue Service

DUE ON 1ST

TROY RENT

AHB PROPERTIES
C/O PERSONAL BANKING CTR
PO BOX 529
ST JOSEPH MI 49085

2011

RICK BUCKALEW 269-982-3881
RICK.BUCKALEW@HUBINTERNATIONAL.COM

AMOUNT [REDACTED]

↓ Last Payment
At 1/2 Jan 1-14 pld

PAY DATE	PERIOD	INV# +YR	ACCOUNT#	AMOUNT	CHECK#
12-27	1	JAN 11	[REDACTED]	[REDACTED]	[REDACTED]
1-24	2	FEB	[REDACTED]	[REDACTED]	
2-21	3	MAR	[REDACTED]	[REDACTED]	
3-28	4	APR	[REDACTED]	[REDACTED]	
4-25	5	MAY	[REDACTED]	[REDACTED]	
5-23	6	JUN	[REDACTED]	[REDACTED]	
6-27	7	JUL	[REDACTED]	[REDACTED]	
7-25	8	AUG	[REDACTED]	[REDACTED]	
8-22	9	SEP	[REDACTED]	[REDACTED]	
9-26	10	OCT	[REDACTED]	[REDACTED]	
10-24	11	NOV	[REDACTED]	[REDACTED]	
11-25	12	DEC	[REDACTED]	[REDACTED]	
		JAN	[REDACTED]	[REDACTED]	

\$1200.00
x 1

\$1200.00

\$1200.00 ✓

QUESTION TWO – Crystal Clean Premium 142 (MSDS)

**Material Safety Data Sheet****Crystal Clean Premium 142⁺ Mineral Spirits**

Revision Date: 10-27-2009

1. PRODUCT AND COMPANY IDENTIFICATION

Product Name: Crystal Clean 142⁺ Mineral Spirits

Supplier: Heritage-Crystal Clean
2175 Point Boulevard – Suite 375
Elgin, IL 60123-9211

Technical Contact: Heritage-Crystal Clean - EHS Department
Telephone: 877-938-7948 or 847-836-5670
Fax: 847-836-5677
Email: ehs@crystal-clean.com
Website: www.crystal-clean.com

Synonyms: Mineral Spirits, Petroleum Naphtha, Parts Cleaner Solvent, Stoddard Solvent, Petroleum Distillates

EMERGENCY TELEPHONE NUMBERS

Medical:	Local Poison Control Center or Hospital
Technical Questions:	Heritage-Crystal Clean EHS Department 877-938-7948

2. COMPOSITION / INFORMATION OF INGREDIENTS

Component Name	CAS No.	Wt %
Distillates (petroleum), aliphatic	64742-47-8	100

This solvent may be produced from several sources utilizing different refining processes that generate different CAS registry numbers based on the refining process used. Petroleum solvent naphtha, medium aliphatic is a complex stream of predominantly C9 to C12 hydrocarbons.

3. HAZARDS IDENTIFICATION

Major Routes of Entry: Skin contact. Inhalation

OSHA Physical Hazard Classification: Combustible

Potential Health Effects:

Inhalation: High Concentrations of vapor may be harmful if inhaled and may irritate the respiratory tract (nose, throat, and lungs). High concentrations may cause nausea, vomiting, headaches, dizziness, loss of coordination, numbness, and other central nervous system effects.

Eye Contact: This material may cause transient eye irritation. Symptoms may include stinging, tearing, redness, and swelling of the eyes.

Skin: This material can cause mild, transient skin irritation with short-term exposure. Repeated or prolonged skin contact can produce irritation (dermatitis)

Ingestion: May be harmful if swallowed. Aspiration can result in lung damage or possible death. It can be readily absorbed by the stomach and intestinal tract. Symptoms include a burning sensation of the mouth and esophagus, nausea, vomiting, dizziness, staggering gait, drowsiness, loss of consciousness, and delirium, as well as additional central nervous system (CNS) effects.

Symptoms of Exposure: Signs of central nervous system depression begin with headaches, dizziness, and apparent intoxication, through loss of consciousness.

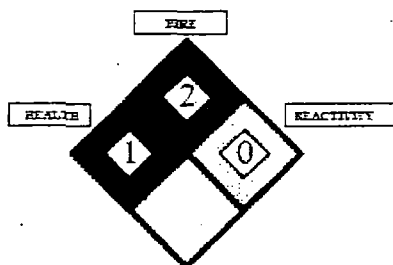
Aggravated Conditions: Skin contact can aggravate existing dermatitis. Preexisting eye and respiratory disorders may also be aggravated by exposure to this product.

NFPA Hazard Rating

- Health: 1 = Slight
- Fire 2 = Moderate
- Reactivity 0 = Negligible

NPCA/HMIS Rating:

- Health 1 = Slight
 - Fire 2 = Moderate
 - Reactivity 0 = Negligible
 - Protective Equipment C,X
- C = Safety glasses or goggles, gloves, synthetic apron
X = Consult supervisor for handling info.



Health	1
Flammability	2
Reactivity	0
Protective Equip	C, X

4. FIRST AID MEASURES

Inhalation: Remove to fresh air. If victim has difficulty in breathing, tightness of the chest, is dizzy, is vomiting, or is unresponsive, administer oxygen, artificial respiration, or CPR if required until medical assistance can be rendered.

Eyes: Check for and remove contacts. If symptoms develop, flush eyes gently with water for at least 15 minutes while holding eyelids apart. Seek immediate medical attention. Seek medical attention.

Skin: Remove contaminated clothing. Flush exposed area with large amounts of water. If skin is damaged, seek immediate medical attention. If skin is not damaged and symptoms persist, seek medical attention. Launder clothing before reuse.

Ingestion: Do NOT induce vomiting. If victim is coughing, choking, has shortness of breath, or difficulty in breathing, transport to nearest medical facility for additional

treatment. If any of the following delayed signs and symptoms appears within the next 6 hours, transport to the nearest medical facility: fever greater than 101°F, shortness of breathe, chest congestion, or continued coughing or wheezing. If vomiting occurs spontaneously, keep head below hips to prevent aspiration.

Note to Physician: Inhalation overexposure can produce toxic effects. Monitor for respiratory distress. If coughing or difficult breathing develops, evaluate for upper respiratory tract inflammation, bronchitis, and pneumonitis. Vigorous anti-inflammatory/steroid treatment may be required with upper airway or pulmonary edema. Administer 100% humidified oxygen with assisted ventilation, as required.

5. FIRE FIGHTING MEASURES

Flash Point:	>142°F ; > 61°C TCC
Auto-ignition Point:	>440°F ; >226°C
Explosive Limits:	1% (lower) - 6% (upper)
NFPA 30 Classification:	Combustible Liquid Class IIIA

Fire and Explosion Hazards: Vapors are heavier than air and may travel along the ground or may be moved by ventilation and ignited by pilot lights, other flames, or other ignition sources. Never use welding or cutting torch on or near drum (even empty) because product, or even residue, can ignite explosively.

Extinguishing Media: Use carbon dioxide, dry chemical, regular foam, or water fog. Do not use a direct stream of water. Material will float and can be reignited on the surface of the water.

Fire Fighting Instructions: Use self-contained breathing apparatus (SCBA). Containers exposed to fire should be kept cool with water spray.

6. ACCIDENTAL RELEASE MEASURES

Small Spill: appropriate inert absorbents, such as vermiculite, floor absorbent or absorbent booms or pads, can absorb small spills. Avoid breathing vapors and ventilate the area.

Large Spill: Eliminate all ignition sources (flares, flames including pilot lights, electrical sparks). Persons not wearing protective equipment should be excluded from area of spill until clean up has been completed. Stop spill at source if safe to do so. Prevent material from entering confined areas, drains, sewers, streams or other bodies of water. Prevent from spreading. If runoff occurs, notify authorities as required. Prevent run-off to sewers, streams or other bodies of water. If run-off occurs, notify proper authorities as required that a spill has occurred. Pump or vacuum transfer spilled product to clean containers for recovery. Absorb unrecoverable product. Transfer contaminated absorbent, soil, and other material to proper non-leaking containers for disposal.

Precautions to be taken in Handling and Storing:

Keep containers closed when not in use. When opening covers and outlet caps on storage tanks, use face shield and gloves to avoid possible injury from pressurized hydrocarbon vapors. Do not overheat. Surfaces that are sufficiently hot may ignite liquid material.

All five-gallon pails and larger containers, including tank cars and truck cargo tanks should be grounded and/or bonded when material is transferred to prevent ignition.

Rev. 10/27/2009

of vapors by static electricity. Hydrocarbon solvents are basically non-conductors of electricity but can become electrostatically charged during mixing, filtering, or pumping at high flow rates. If the charge reaches a sufficiently high level, sparks can form that may ignite the vapors of flammable liquids.

Store in a cool, dry, well-ventilated safety storage cabinet or room with appropriate labels. Do not store in closed vehicles. Keep away from ignition sources and ground all equipment containing this material. Containers must be able to withstand expansion and/or pressures expected from warming and cooling in storage.

7. HANDLING AND STORAGE

Storage and use areas should be No Smoking areas. Empty containers can be dangerous. Do not pressurize, cut, weld, braze, solder, drill, grind, or expose such containers to heat, flames, sparks, or other sources of ignition. They may explode and cause injury or death. Observe all warnings and precautions listed for this product.

8. EXPOSURE CONTROLS AND PERSONAL PROTECTION

Eye Protection: Safety glasses or chemical splash goggles are advised to safeguard against potential eye contact, irritation, or injury. Ensure that an emergency eyewash station and safety shower is located nearby.

Skin Protection: Wear resistant gloves (consult your safety equipment supplier). To prevent repeated or prolonged skin contact, wear impervious clothing and boots.

Respiratory Protections: If engineering controls do not maintain airborne concentrations at a level that is adequate to protect worker health, a NIOSH/MISHA approved air supplied respirator must be worn in accordance with the OSHA respiratory standard. Appropriate respirators may include air-purifying cartridge respirators for organic vapors, supplied air respirators, or self-contained breathing apparatus (in environments with unknown concentrations or emergency situations).

Engineering Controls: Provide sufficient mechanical (general and/or local exhaust) ventilation to maintain exposure below the permissible exposure limits and threshold limits values.

Other/General Protection: Wear body-covering clothing to avoid prolonged or repeated exposure. Launder before reuse. Varying application methods can dictate the use of additional protective safety equipment such as impermeable aprons, etc.

Occupational Exposure Guidelines:

Substance: Petroleum Hydrocarbon Distillates

OSHA PEL 2900 mg/m³ or 500 ppm (8-hour)

ACGIH TLV 100 ppm (8-hour TWA)

9. PHYSICAL AND CHEMICAL PROPERTIES

Physical State:	Liquid
Appearance:	Clear or slight light blue color
Odor:	Hydrocarbon solvent odor
Boiling Point:	>186 °C, >367 °F

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Vapor Pressure:	<1.0 mm Hg @ 20 °C, 68 °F
Reid Vapor Pressure:	< 0.1 psia (VP @ 38 °C , 100 °F)
Vapor Density (Air=1):	> 1.0
Specific Gravity:	0.78 - 0.98
Percent Volatiles:	100%
Percent VOC:	100%
Lbs/Gal VOC:	6.5 - 8.2
Solubility:	Negligible
pH	N/A

Physical properties given are typical for this product.

10. STABILITY AND REACTIVITY

Stability:	Stable
Incompatible Materials:	Strong oxidizers.
Hazardous Polymerization:	Will not occur.

Hazardous Decomposition Products: Thermal decomposition may result in an airborne mixture of solids (smoke and soot), liquids (mist), and gases including a complex mixture of fumes, carbon monoxide, carbon dioxide, and other organic hydrocarbons.

Conditions to Avoid: Avoid heat, open flames, strong acids and strong oxidizers.

11. TOXICOLOGICAL INFORMATION

<u>Acute Studies:</u>	Petroleum Distillate:
	Oral (LD ₅₀): > 5,000 mg/kg (rat)
	Inhalation (LC ₅₀): > 5,500 (rat, 4 hours)
	Dermal (LD ₅₀): > 3,000 mg/kg mg/kg (rabbit)

Miscellaneous Toxicological Information:

Studies on laboratory animals have associated similar materials with eye and respiratory tract irritation. Studies on laboratory animals have shown similar materials to cause skin irritation after repeated or prolonged contact. Repeated direct application of Stoddard Solvent to the skin can produce defatting dermatitis and kidney damage in laboratory animals. Rats developed kidney damage and elevated blood urea nitrogen levels when exposed to a concentration of 1.9 mg/L for 65 days. The kidney damage occurred only in male rats and appeared to involve both the tubules and glomeruli. The significance of these animal study results to human health is unclear.

12. ECOLOGICAL INFORMATION

Acute Toxicity

Fish:	Low toxicity: LC/EC/IC50 > 1000mg/l
Aquatic Invertebrates:	Low toxicity: LC/EC/IC50 > 1000mg/l
Algae:	Low toxicity: LC/EC/IC50 > 1000mg/l

Mobility:	Floats on Water; Adsorbs to soil and has low mobility
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Persistence / Degradability:	Expected to be readily biodegradable
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Oxidizes rapidly by photo-chemical reactions in air

Bioaccumulation: Has the potential to bioaccumulate

13. DISPOSAL CONSIDERATIONS

Material: Maximize material recovery for reuse or recycling. The characteristics of this product do not in itself cause the resulting waste to be considered a hazardous waste under RCRA criteria of 40 CFR 261.

Container: Drain container thoroughly. After draining, vent in a safe place away from sparks and fire. Do not puncture, cut, or weld, unclean drums. Send drum to metal or drum reclaimer.

14. TRANSPORT INFORMATION

DOT Non-Bulk Package (< 119G container)

Shipping Name: Mineral Spirits (Petroleum Naphtha) (Not DOT regulated)

DOT Bulk Package (> 119G container)

Shipping Name: Combustible liquid, n.o.s. (petroleum naphtha)

UN/NA #: NA 1268

Hazard Class: Combustible Liquid

Packing Group: III

Placards: Class 3, NA 1268

Packaging Exceptions: 49 CFR 173.150

Packaging Requirements: 49 CFR 173.203, 173.242

North America Emergency Response Guidebook Guide No: 128

This material is not classified as hazardous under IATA and IMDG regulations.

15. REGULATORY INFORMATION

US Federal Regulations:

TSCA: This material is listed in the U.S. Toxic Substance Control Act Chemical Substance Inventory

CWA: This material is classified as an oil under Section 311 of the Clean Water Act and the Oil Pollution Control Act of 1990. Spills and discharges that cause a sheen on surface waters or in waterways and seaways that lead to surface waters must be reported to the national Response Center at 800-424-8802

CERCLA: This material does not contain any hazardous substances listed pursuant to the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) and 40 CFR 302, Table 302.4.

SARA 302 and 304: This product does not contain any components listed in 40 CFR 302.4 and 40 CFR 355.

SARA 313: This product does not contain "toxic" chemicals subject to the requirements of Section 313 of Title II of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and 40 CFR 372.

SARA 311 and 312: This product poses the following health hazards as defined in 40 CFR 370 and are subject to the requirements of Sections 311 and 312 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA):

- Immediate (Acute) Health Hazard
- Delayed (Chronic health Hazard
- Fire Hazard

State Regulations:

California Prop 65: This product contains chemicals known to the State of California to cause cancer:

Chemical Name	CAS#
None	

16. OTHER INFORMATION

Reference Documents:

Some of the information provided in this Material Safety Data Sheet is supplied by manufacturers of products supplied to Heritage-Crystal Clean.

Although reasonable care has been taken in the preparation of this document we extend no warranties and make no representations as to the accuracy or completeness of the information contained therein, and assume no responsibility regardless of the suitability of this information for the user's intended purposes or the consequences of its use. Each individual should make a determination as to the suitability of the information of his or her particular purpose(s).

Heritage-Crystal Clean

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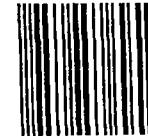
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MAIL 2454



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ALFRED NICKLES BAKERY, INC.
26 NORTH MAIN STREET
NAVARRE, OHIO 44662-1158

United States Env. Prot. Agency
Region Five
Superfund Div. Ext. + Comp. Aff. [unclear]
Attn: Marshall A. Adams [unclear]
77 W. Jackson Blvd. (SE-55)
Chicago, IL 60604